

Message Text

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PAGE 01 STATE 115898

22

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OSD/ISA-GEN.BOWMAN,DR.SHIELDS

AIR FORCE-GEN.PUSTAY

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SUBJECT: POLITICAL AND ECONOMIC ASPECTS OF A NATO AEW
SYSTEM

REF: A. USNATO 2480 DTG 061315Z MAY 76

-- B. USNATO 1895 DTG 071650Z APR 76

1. WE DO NOT VIEW THE "BUY AMERICAN ACT" (41 USC 10
A-D) AS AN ISSUE WITH REGARD TO NATO AEW OR ANY OTHER
EFFORT WHICH MIGHT BE SUBSUMED BY STANDARDIZATION
CONSIDERATIONS. THE SECRETARY OF DEFENSE HAS STANDING
AUTHORITY TO WAIVE BUY AMERICAN PROVISIONS "IN THE
PUBLIC INTEREST," AND THERE WOULD BE A CLEAR U.S. INTEREST
TO DO SO IN CONNECTION WITH AWACS.

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PAGE 02 STATE 115898

2. FURTHERMORE, IT WAS THE CLEAR INTENT OF CONGRESS IN

PASSING THE CULVER-NUNN AMENDMENT TO THE FY 76 DOD AUTHORIZATION ACT THAT THE SECRETARY OF DEFENSE WAIVE FULL APPLICATION OF THE BUY AMERICAN ACT IN THE INTEREST OF STANDARDIZATION. IN THIS REGARD, ATTENTION IS INVITED TO PAGE 61 OF THE JANUARY 1976 REPORT TO THE US CONGRESS ON RATIONALIZATION/STANDARDIZATION WITHIN NATO BY THE SECRETARY OF DEFENSE, WHICH STATES THAT "TO CARRY OUT THE SENSE OF THE CONGRESS EXPRESSED IN THE CULVER-NUNN

AMENDMENT (PL 94-106, SEC 914A), WHICH CALLS FOR EQUIPMENT OF OUR FORCES IN EUROPE TO BE STANDARDIZED WITH OUR EUROPEAN ALLIES, THE DEPARTMENT OF DEFENSE PLANS TO WAIVE...PRICE DIFFERENTIALS IN EVALUATING DEFENSE EQUIPMENT OF OUR EUROPEAN ALLIES WHEN IN THE INTEREST OF ALLIANCE STANDARDIZATION..."

3. SINCE BUY AMERICAN IS IN EFFECT NOT APPLICABLE TO THE NATO AEW SITUATION AND ITS MENTION ONLY SERVES TO RAISE QUESTIONS SUCH AS THOSE IN REFERENCE A, WE PREFER THAT IT NOT BE INCLUDED IN THE CHAIRMAN'S REPORT. KISSINGER

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